

CHAPTER 22 PUBLIC DISASTERS AND CIVIL DISORDERS

Secs.	
2200	Declaration of a State of Emergency
2201	Emergency Regulations
2202	Termination of a State of Emergency
2203	Administration and Enforcement

2200 DECLARATION OF A STATE OF EMERGENCY

- 2200.1 Whenever the Mayor determines that a civil disorder or other public disaster, or the imminent danger of a disorder or disaster, exists within the District, and that the disorder, disaster, or threat substantially endangers, threatens, or interferes with the health, safety, or well-being of persons; the secure possession and use of property; the free exercise of rights; or the orderly functioning of government agencies located within the District, the Mayor may publicly proclaim the existence of a state of emergency.
- 2200.2 The proclamation of a state of emergency shall note the nature of the emergency, and shall briefly state the facts upon which the Mayor has based his or her determination.

AUTHORITY: Unless otherwise noted, the authority for this chapter is An Act approved January 26, 1887, 24 Stat. 368, ch. 49, §1, D.C. Code §1-315 (1992 Repl. Vol.).

SOURCE: Commissioners' Order No. 68-432, effective June 19, 1968, Article 48, §1 of the Police Regulations (May 1981).

2201 EMERGENCY REGULATIONS

- 2201.1 Whenever the Mayor has proclaimed the existence of an emergency pursuant to §2200, and until that state of emergency is terminated as provided for in §2202, the Mayor may order and promulgate, as he or she may deem necessary for the protection of the public and the welfare of the city, any or all of the emergency regulations provided for in §§2201.3 through 2201.7, in whole or in part, and with such limitations and conditions as the Mayor may deem appropriate.
- 2201.2 Any emergency regulations ordered under this section shall be in effect only during the period of the emergency and in the area or areas of the District that the Mayor orders.
- 2201.3 The Mayor may order the imposition of a curfew in all of the District of Columbia commencing and ending at the times as the Mayor may specify.

- 2201.4 During the hours of a curfew, no person, other than persons officially designated by the Mayor, shall walk, run, loiter, stand, or motor upon any street, alley, or other public place within the designated area.
- 2201.5 The Mayor may order the prohibition of the sale or dispensing of alcoholic beverages, including beer and wine, altogether or by the bottle.
- 2201.6 The Mayor may order the prohibition of the sale or dispensing of gasoline or other inflammable materials or liquids, altogether or except by delivery into a tank permanently affixed to an operable motor-driven vehicle.
- 2201.7 The Mayor may order the prohibition of the sale, gift, or exchange of any firearm, ammunition, explosive, incendiary device, or other dangerous weapon.
- 2201.8 The Mayor may order the prohibition of the possessing or carrying upon any street, alley, or other public place, or in any vehicle upon any street, alley, or other public place, any firearm, ammunition, explosive, incendiary device, or other dangerous weapon; except by law enforcement officers and military personnel in the official exercise of their duty.
- 2201.9 The Mayor is authorized, whenever he or she has proclaimed the existence of an emergency situation pursuant to §2200, to perform the function of making regulations under D.C. Code §1-319 (1981), in addition to the regulations specifically authorized under this section.
- 2201.10 Emergency regulations shall continue in effect until terminated by proclamation of the Mayor; Provided, that no emergency regulation shall continue in effect beyond the termination of the state of emergency in connection with which it was issued.

SOURCE: Commissioners' Order No. 68-432, effective June 19, 1968, Article 48, §§2, 5(c), (6) of the Police Regulations (May 1981).

2202 TERMINATION OF A STATE OF EMERGENCY

- 2202.1 Within forty-eight (48) hours after proclaiming a state of emergency, or as soon after this time as the D.C. Council can convene, the Mayor or Deputy Mayor shall appear before the Council to explain the circumstances under which the Mayor exercised any of the emergency powers vested in the Mayor under §2201.
- 2202.2 No state of emergency proclaimed under §2200 shall continue to exist beyond the meeting of the Council convened pursuant to §2202.1, unless continuation is approved by a majority vote of the Council members present and voting.
- 2202.3 No state of emergency shall continue to exist beyond any subsequent meeting of the Council at which the continuation is disapproved by a majority vote of the Council members present and voting.
- 2202.4 Unless sooner termination is required by the Mayor's failure to secure approval of the Council, or upon disapproval by the Council, as provided in this section, a

state of emergency proclaimed under §2200 shall continue in existence until terminated by proclamation of the Mayor.

SOURCE: Commissioners' Order No. 68-432, effective June 19, 1968, Article 48, §§5(a), (b) of the Police Regulations (May 1981).

2203 ADMINISTRATION AND ENFORCEMENT

- 2203.1 Any proclamation declaring the existence of an emergency issued pursuant to §2200, any proclamation terminating a state of emergency pursuant to §2202, and any emergency order or regulation issued under authority of §2201 shall be effective without prior publication.
- 2203.2 Notwithstanding the provisions of §2203.1, each proclamation and order issued under this chapter shall be, as promptly as practicable, filed in the Office of Documents and published in the *D.C. Register*.
- 2203.3 Each proclamation issued under this chapter shall be delivered to general news media for publication and for radio and television broadcast.
- 2203.4 Any person who violates any provision of an emergency order or regulation issued by the Mayor under the authority of §2201 shall, upon conviction, be punished by a fine of not more than three hundred dollars (\$300), or by imprisonment for not more than ten (10) days.
- 2203.5 If there is a conflict between any regulation issued under authority of §2201 and any other regulation or municipal action of the District, the regulation issued under §2201 shall prevail for so long as it continues in effect.
- 2203.6 Except to the extent that a conflict appears, the provisions of regulations issued under authority of §2201 shall not supersede, but shall be in addition to, the provisions of all other regulations, municipal actions, and statutes applicable to the District.
- 2203.7 If any provision of this chapter or the application of this chapter to any person or circumstance is held invalid, the validity of the remainder of this chapter and of its application to other persons and circumstances shall not be affected.

SOURCE: Commissioners' Order No. 68-432, effective June 19, 1968, Article 48, §§3, 4, 7, 8 of the Police Regulations (May 1981).

